

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor
FV-I, Inc. in trust for Morgan Stanley mortgage Capital
Holdings LLC

In Re:
Dominic S. Scalzo, Mara L. Scalzo

Debtors.



Order Filed on February 24, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-28488 MBK

Adv. No.:

Hearing Date: 1/8/2020 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: February 24, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtors: Dominic S. Scalzo, Mara L. Scalzo

Case No: 17-28488 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, FV-I, Inc. in trust for Morgan Stanley mortgage Capital Holdings LLC, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 1007 Elwood Street, Forked River, NJ 08731, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Warren Brumel, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 10, 2020, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2019 through February 2020 for a total post-petition default of \$5,452.76 (3 @ \$1,999.97, \$547.15 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,452.76 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtors shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2020, directly to Secured Creditor's servicer, Specialized Loan Servicing, LLC, P.O. Box 636007, Littleton, Colorado 80163 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Dominic S Scalzo
Mara L. Scalzo
DebtorsCase No. 17-28488-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 24, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 26, 2020.
db/jdb +Dominic S Scalzo, Mara L. Scalzo, 1007 Elwood Street, Forked River, NJ 08731-1015

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 26, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 24, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Allen I Gorski on behalf of Creditor Energy People Federal Credit Union
 agorski@gorskiknowlton.com
 Christopher M. McMonagle on behalf of Creditor Wilmington Savings Fund Society, FSB d/b/a christina Trust, Not in its individual capacity but solely as trustee for the brougham fund I trust cmcmonagle@sterneisenberg.com, bkecf@sterneisenberg.com
 Denise E. Carlon on behalf of Creditor FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Jill Manzo on behalf of Creditor BSI FINANCIAL SERVICES, as servicer for WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE OF THE BROUGHAM FUND I TRUST bankruptcy@feinsuch.com
 Rebecca Ann Solarz on behalf of Creditor FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC rsolarz@kmlawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
 Warren Brumel on behalf of Joint Debtor Mara L. Scalzo wbrumel@keyportlaw.com, brumellawecf@gmail.com/wbrumel@keyportlaw.com
 Warren Brumel on behalf of Debtor Dominic S Scalzo wbrumel@keyportlaw.com, brumellawecf@gmail.com/wbrumel@keyportlaw.com

TOTAL: 9